RNI No. MAHBIL /2009/40123

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग पाच—अ

वर्ष ११, अंक १७ (९)] सोमवार, डिसेंबर ८, २०२५/अग्रहायण १७, शके १९४७ [पृष्ठे ६, किंमत : रुपये ३६.००

असाधारण क्रमांक ३८

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद).

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill which was introduced in the Maharashtra Legislative Council on **8th December, 2025** is published under Rule **113** of the Maharashtra Legislative Council Rules :—

L. C. BILL No. XIV OF 2025.

A BILL

further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

WHEREAS both Houses of the State Legislature were not in session ;

III of 1888. LIX of 1949. Mah. XL of 1965.

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes hereinafter appearing ; and, therefore, promulgated the Mumbai Municipal Corporation,

Mah. Ord. XI of 2025.

Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2025, on the 3rd November 2025 ;

AND WHEREAS it is expedient to replace the said Ordinance, by an Act of the State Legislature ; it is hereby enacted in the Seventy-sixth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short title and commencement.

1. (*1*) This Act may be called the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Act, 2025.

(*2*) It shall be deemed to have come into force on the 3rd November 2025.

CHAPTER II

AMENDMENTS TO THE MUMBAI MUNICIPAL CORPORATION ACT.

Amendment of section 5B of III of 1888.

2. In section 5B of the Mumbai Municipal Corporation Act (hereinafter, in this Chapter, referred to as "the Mumbai Municipal Corporation Act"), for the existing provisos, the following provisos shall be substituted, namely :— III of 1888.

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,-

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.".

Amendment of section 37 of III of 1888.

3. In section 37 of the Mumbai Municipal Corporation Act, in sub-section (*2A*), for the existing provisos, the following provisos shall be substituted, namely :—

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being the Mayor.".

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MUNICIPAL CORPORATIONS ACT.

LIX of 1949.

4. In section 5B of the Maharashtra Municipal Corporations Act (hereinafter, in this Chapter, referred to as " the Maharashtra Municipal Corporations Act"), for the existing provisos, the following provisos shall be substituted, namely :— Amendment of section 5B of LIX of 1949.

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.".

5. In section 19 of the Maharashtra Municipal Corporations Act, in sub-section (*1B*), for the existing provisos, the following provisos shall be substituted, namely :— Amendment of section 19 of LIX of 1949.

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being the Mayor.".

CHAPTER IV

AMENDMENTS TO THE MAHARASHTRA MUNICIPAL COUNCILS, *NAGAR PANCHAYATS* AND INDUSTRIAL TOWNSHIPS ACT, 1965.

Amendment of section 9A of Mah. XL of 1965.

6. In section 9A of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (hereinafter, in this Chapter, referred to as " the Municipal Councils Act "), for the existing provisos, the following provisos shall be substituted, namely :— Mah. XL of 1965.

" Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a Councillor.".

Amendment of section 51-1B of Mah. XL of 1965.

7. In section 51-1B of the Municipal Councils Act, for the existing provisos, the following proviso shall be substituted, namely :—

"Provided that, a person who has applied to the Scrutiny Committee for the verification of his Caste Certificate before the date of filing of the nomination papers, but who has not received the Validity Certificate on the date of filing of the nomination papers shall submit, alongwith the nomination papers,—

(*i*) a true copy of the application submitted by him to the Scrutiny Committee for issuance of the Validity Certificate or any other proof of having made such application to the Scrutiny Committee ; and

(*ii*) an undertaking that he shall submit the Validity Certificate issued by the Scrutiny Committee, within a period of six months from the date on which he is declared elected :

Provided further that, if such person fails to produce the Validity Certificate within a period of six months from the date on which he is declared elected, his election shall be deemed to have been terminated retrospectively and he shall be disqualified for being a President.".

Repeal of Mah. Ord. XI of 2025 and saving.

8. (*1*) The Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2025, is hereby repealed. Mah. Ord. XI of 2025.

(*2*) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the relevant Acts, as amended by this Act.

III of 1888.
LIX of 1949.
Mah. XL of 1965.

STATEMENT OF OBJECTS AND REASONS

Sections 5B and 37 of the Mumbai Municipal Corporation Act (III of 1888), sections 5B and 19 of the Maharashtra Municipal Corporations Act (LIX of 1949) and sections 9A and 51-1B of the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XL of 1965) provides that, every person desirous of contesting election to a seat of Councillor or post of Mayor or President reserved for person belonging to the Scheduled Castes, Scheduled Tribes or Backward Classes of Citizens, shall submit, alongwith the nomination paper, Caste Certificate issued by the Competent Authority and the Validity Certificate issued by the Scrutiny Committee in accordance with the provisions of the Maharashtra Scheduled Castes, Scheduled Tribes, De-notified Tribes *(Vimukta Jatis)*, Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act, 2000 (Mah. XXIII of 2001) and the rules made thereunder.

2. In the year 2025-2026 elections to local bodies are to be held in the State on a large scale. The Caste Scrutiny Committees will receive large number of applications for issuing Validity Certificates from candidates who desire to contest such elections to reserved seats. Therefore, the Caste Scrutiny Committees may get overburdened with the work of scrutiny of such applications, before filing of nominations for such elections and such situation may arise after every five years before such elections.

The prospective candidates may get deprived of the opportunity to contest such elections for the reserved seats because of the non-issuance of the Caste Validity Certificate by the Caste Scrutiny Committee in time. Therefore, the Government considered it expedient to amend the said municipal laws suitably with a view to allow the persons contesting elections for reserved seats and who have applied to the Caste Scrutiny Committee for obtaining Caste Validity Certificate, to submit the Validity Certificate within six months from the date on which they are declared elected, and also to provide that if they fail to produce the Validity Certificate within six months, their elections shall be deemed to be terminated retrospectively.

3. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Mumbai Municipal Corporation Act, the Maharashtra Municipal Corporations Act and the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965, for the purposes aforesaid, the Mumbai Municipal Corporation, Maharashtra Municipal Corporations and Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Ordinance, 2025 (Mah. Ord. XI of 2025), was promulgated by the Governor of Maharashtra on the 3rd November 2025.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Mumbai,
Dated the 3rd December, 2025.

EKNATH SHINDE,
Deputy Chief Minister
(Urban Development).

Vidhan Bhavan,
Nagpur,
Dated the 8th December, 2025.

DR. VILAS ATHAWALE,
Secretary (III)
Maharashtra Legislative Council.

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